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13 Attorneys for Defendant  
DS SERVICES OF AMERICA, INC.  
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16 CARLOS ZARATE,

20 Plaintiff,

21 v.

22 DS SERVICES OF AMERICA, INC.; and DOES  
1 through 50, inclusive,

23 Defendants.  
24

Case No. C15-01871 NC

**JOINT STIPULATION AND ORDER  
THEREON TO CONTINUE CASE  
MANAGEMENT CONFERENCE**

25  
26 Pursuant to USDC ND Cal. Civil Local Rule 6, the Parties to the above-entitled action, Plaintiff  
27 Carlos Zarate (“Plaintiff”) and Defendant DS Services of America, Inc. (“Defendant”) (collectively  
28

1 referred to herein as "the Parties"), by and through their undersigned counsel, hereby stipulate and agree  
2 as follows:

3       1. WHEREAS, on April 27, 2015, the court scheduled a case management conference for  
4 August 5, 2015 (Dkt. 6).

5       2. WHEREAS, due to a scheduling conflict, Defendant's lead trial counsel will be unable to  
6 attend the case management conference as required by Civil L.R. 16-10(a).

7       3. WHEREAS, the parties have met and conferred and Plaintiff does not oppose  
8 Defendant's request to continue the case management conference to August 12, 2015 or the next  
9 available date convenient for the Court.

10      **NOW THEREFORE**, the Parties stipulate and request that the Court enter an order that the  
11 August 5, 2015 case management conference shall be continued to August 12, 2015 or the next available  
12 date convenient for the Court.

13      **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

14  
15 Dated: July 21, 2015

FITZPATRICK, SPINI & SWANSTON

16  
17 By: /s/ B. James Fitzpatrick  
18                   B. James Fitzpatrick

19                   Attorney for Plaintiff  
20                   CARLOS ZARATE

21 Dated: July 21, 2015

SEYFARTH SHAW LLP

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23 By: /s/ Duwayne A. Carr  
24                   Catherine M. Dacre  
25                   Emily E. Barker  
26                   Duwayne A. Carr

27                   Attorneys for Defendant  
28                   DS SERVICES OF AMERICA, INC.

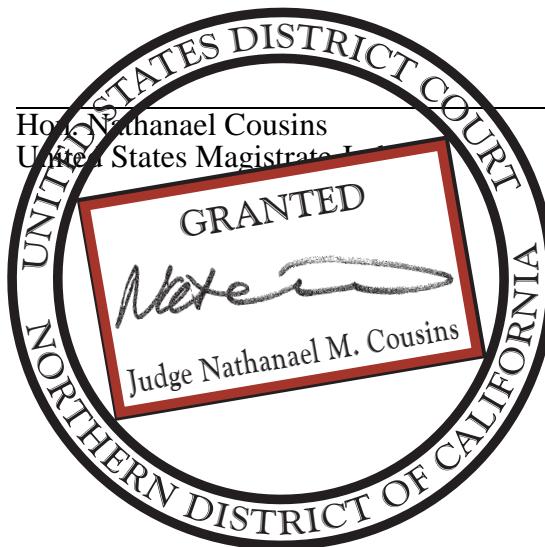
## ORDER

**PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO**

**ORDERED** that

1. The August 5, 2015 case management conference is continued to August 12, 2015 at 10:00 a.m., and
2. A Joint Case Management Statement shall be filed on or before August 5, 2015.

DATED: July 21, 2015



1                   **ATTESTATION PURSUANT TO CIVIL L.R. 5.1(i)(3)**

2                   I, Duwayne A. Carr, am the ECF user whose ID and password are being used to file this JOINT  
3 STIPULATION AND [PROPOSED] ORDER THEREON TO CONTINUE CASE MANAGEMENT  
4 CONFERENCE. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that the following attorney has  
5 concurred in this filing: B. James Fitzpatrick, counsel for Plaintiff Carlos Zarate.

6 Dated: July 21, 2015

SEYFARTH SHAW LLP

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8                   By: /s/ Duwayne A. Carr  
9                   Catherine M. Dacre  
10                  Emily E. Barker  
11                  Duwayne A. Carr  
12                  Attorneys for Defendant  
13                  DS SERVICES OF AMERICA, INC.  
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